

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	
	§	No. 1:21-CR-00194-RP
	§	
ERIC JAMES HICKS,	§	
<i>Defendant</i>	§	

ORDER

Before the Court is Defendant's Motion for Permission to Travel, Dkt. 78. The District Court referred the motion to the undersigned for resolution pursuant to 18 U.S.C. § 3006A(b), 28 U.S.C. § 636(b)(1)(B), and Rule 44 of the Federal Rules of Criminal Procedure. Dkt. 79. Defendant previously requested permission to travel with his wife to Mexico via a Carnival Cruise, Dkt. 72, a request the Court denied, Dkt. 76. As noted in that order, the Court found Defendant's request to travel internationally inappropriate, particularly in light of Defendant's impending sentencing date. *Id.*, at 2.

Defendant's present motion seeks permission to travel to Estes Park, Colorado, leaving on August 25, 2022, and returning on August 29, 2022. Dkt. 78, at 2. At the time of the filing of the motion, Defendant had not heard from the Assistant U.S. Attorney or U.S. Pretrial Services regarding whether they opposed the motion. The Court has since confirmed that while the AUSA does not oppose the motion, the Pretrial Services officers assigned to Defendant in the Western and Southern Districts of Texas both oppose the motion.

Defendant and his wife both face sentencing before the District Court in less than two months. According to the U.S. Probation Office, Defendant's guideline sentence will likely exceed the statutory maximum sentence of 240 months. Under these circumstances, the undersigned cannot approve Defendant's request to travel anywhere outside of the geographic restriction that is currently in place.

For these reasons, the Court **DENIES** Defendant's Motion for Permission to Travel, Dkt. 78.

SIGNED August 23, 2022.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE